



STATE OF CONNECTICUT – COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

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**TOWN PLANNER'S OFFICE**

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## **INLAND WETLANDS AGENCY REGULAR MEETING MINUTES SEPTEMBER 16, 2019 7:00 PM TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT**

**PRESENT:** Chairman Ken Braga, Vice Chairman Ron Brown, Jean Burns, Art Aube, Steve Hoffman, and Mike Swanson

**ABSENT:** Hocine Baouche

### **STAFF**

**PRESENT:** John Colonese, Assistant Town Planner/Wetlands Enforcement Officer and Barbra Galovich, Recording Clerk

### **I. CALL TO ORDER:**

Chairman Ken Braga called the September 16, 2019 regular meeting of the Ellington Inland Wetlands Agency to order at 7:00 PM in the Town Hall Annex, 57 Main Street, Ellington, CT.

### **II. PUBLIC COMMENTS (ON NON AGENDA ITEMS): None**

### **III. PUBLIC HEARING (READING OF LEGAL NOTICE):**

1. IW201908 – Sorin Nicolescu, owner/applicant, request for a permit to conduct regulated activity to remove an existing detached garage and replace with a new detached garage, and remove approximately 300 sf of asphalt driveway at 21 Lake Street, APN 149-062-0000.

**Time:** 7:00 PM

**Seated:** Braga, Brown, Aube, Hoffman, and Swanson (Burns recused)

Mr. Colonese stated the property is just over 100 feet away from Crystal Lake and according to the town GIS mapping is within a wetlands area but has been used as a single family home since prior to the adoption of wetlands regulations. He noted the property has a well and is connected to the town sewer system. The applicant received North Central District Health Department's approval for the location of the proposed detached garage.

Sorin Nicolescu, 21 Lake Street, was present to represent the application. Mr. Nicolescu stated he is proposing to demolish the existing 336 sf detached garage and replace with a 600 sf garage, and remove approximately 300 sf of asphalt driveway. The existing garage is on a concrete slab, which will also be removed. The proposed garage will be constructed on site and placed on a gravel base. Mr. Nicolescu said the areas where the old garage and 300 sf of asphalt are removed will be replaced with grass. No one from the public spoke in regards to the application.

**MOVED (AUBE) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO MAKE A DETERMINATION OF A NONSIGNIFICANT ACTIVITY FOR IW201908.**

**MOVED (SWANSON) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR IW201908.**

**MOVED (BROWN) SECONDED (HOFFMAN) AND PASSED UNANIMOUSLY TO APPROVE IW201908** – Sorin Nicolescu, owner/applicant, request for a permit to conduct regulated activity to remove an existing detached garage and replace with a new detached garage, and remove approximately 300 sf of asphalt driveway at 21 Lake Street, APN 149-062-0000.

#### **IV. OLD BUSINESS:**

1. IW201709 – Richard W. Lee Estate, owner / Joseph Willis, Jr., applicant, for the excavation of topsoil, importation of clean fill, construction of a 17,000 SF greenhouse, and associated activity as permitted uses as of right on property located at the corner of Crystal Lake Road & Burbank Road, APN 128-041-0001.

Mr. Willis submitted an email today stating he could not be in attendance tonight, and requesting a continuance to the October meeting to review the project status. Mr. Willis also submitted two additional emails today, all of which were shared with the Agency. Mr. Willis stated in his emails that he attempted to spread the fill material but found out he couldn't with his equipment and therefore hired S.M. Prucker Excavating to spread the fill by mid-October.

Mr. Willis had previously submitted a letter and email to the Agency dated August 1, 2019, requesting an extension to complete the activity and explaining why the project has been delayed. Mr. Colonese noted that on September 17, 2017, Mr. Willis notified the Agency of the proposed uses, and the Agency deemed them permitted as of right as agricultural uses. Appendix D of the wetlands regulations allows the notification to be valid for two years from the date of acceptance of the uses deemed permitted as of right.

The Agency discussed the progress Mr. Willis has made in the past two years. It was brought to their attention that fill material had been hauled off the property in the past, and a tractor trailer has been parked onsite. Chairman Braga specifically stated that no fill shall be extracted from the site. The Agency discussed whether or not there are genuine farming and agricultural activities taking place onsite. Chairman Braga requested Mr. Colonese to contact the CT Department of Agriculture to see if they can provide an advisory opinion on what constitutes agriculture with regard to this site. He also stated he would like to go on a site visit with Mr. Colonese.

After a brief discussion, the Agency requested that Mr. Colonese notify Mr. Willis by violation letter that the uses at the site do not appear to be farming or agricultural activities pursuant to Conn. Gen Stat. Section 1-1(q), and ask him to attend the next Inland Wetland Agency meeting on October 21, 2019, in order to provide the Agency with adequate proof of the agricultural activities proposed at the site. They would also like the letter to state their interest in discussing concerns regarding the removal of fill material from the site and the onsite storage of tractor trailers not pertaining to agriculture.

## **V. NEW BUSINESS:**

1. IW201909 – Todd Layaw & Jen Weinland, owner/ Michael & Erin White, applicant, request for a permit to conduct regulated activity to demolish an existing house, detached garage, and shed, grade area and maintain grass around pond at 53 Pinnacle Road, APN 065-014-0000

**BY CONSENSUS, ADDED TO AGENDA, RECEIVED AND SCHEDULED A PUBLIC HEARING FOR THE NEXT REGULAR MEETING ON OCTOBER 21, 2019, 7:00 PM, TOWN HALL ANNEX, 57 MAIN STREET, ELLINGTON, CT, FOR IW201909** – Todd Layaw & Jen Weinland, owner/ Michael & Erin White, applicant, request for a permit to conduct regulated activity to demolish an existing house, detached garage, and shed, grade area and maintain grass around pond at 53 Pinnacle Road, APN 065-014-0000.

## **VI. ADMINISTRATIVE BUSINESS:**

1. Approval of the July 8, 2019 Regular Meeting Minutes.

**MOVED (SWANSON) SECONDED (AUBE) AND PASSED UNANIMOUSLY TO APPROVE THE JULY 8, 2019 MEETING MINUTES AS WRITTEN.**

2. Correspondence/Discussion:

- a. CIRMA – Understanding Workplace Violence & Prevention Strategies – Training Session for Town of Ellington Employees, Board, Commission and Committee Members, October 29, 2019, 6:30 pm – 8:30 pm, location: TBD

CIRMA will conduct a seminar on understanding workplace violence and prevention strategies on October 29, 2019. Employees and commissioners are encouraged to attend.

- b. Copy of CACIWC Membership Renewal (July 1, 2019 thru June 30, 2020)

## **VII. ADJOURNMENT:**

**MOVED (BRAGA) SECONDED (SWANSON) AND PASSED UNANIMOUSLY TO ADJOURN THE SEPTEMBER 16, 2019 REGULAR MEETING OF THE INLAND WETLANDS AGENCY AT 8:02 PM.**

Respectfully submitted,

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Barbra Galovich, Recording Clerk